

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.

15499.377.3

In Re Application Of Nye et al.

MAR 2 5 2004

Serial No.
10/737,034Filing Date
12/15/2003Examiner
Not AssignedGroup Art Unit
Not AssignedTitle: **MODERN BASKETBALL SYSTEM**

Address to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**37 CFR 1.97(b)**

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:
- ☐ the statement specified in 37 CFR 1.97(e);
- OR**
- ☐ the fee set forth in 37 CFR 1.17(p).

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Not Assigned

Group Art Unit

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MODERN BASKETBALL SYSTEM**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **23-3178** as described below.
- ☐ Charge the amount of _____
- ☐ Credit any overpayment.
- ☒ Charge any additional fee required.

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (F:

(Date)

Signature

Typed or Printed Name of Person Signing Certificate

Certificate of Mailing by First Class Mail

I certify that this document and fee is being deposited on March 22, 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

Richard C. Gilmore

Typed or Printed Name of Person Mailing Certificate

*This certificate may only be used if paying by deposit account.

Dated: 3-22-04

Signature

RICHARD C. GILMORE, Reg. No. 37,335

CUSTOMER NO. 022913

CC:



Docket No: 15499.376

Nye et al.


For: **MODERN BASKETBALL SYSTEM**

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is also enclosed.

In accordance with 37 C.F.R. § 1.98 (c), all English translations within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56 (c) of each non-English reference, if any, are also enclosed.

DATED March 22, 2004.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard C. Gilmore", with a stylized flourish at the end.

RICHARD C. GILMORE
Attorney for Applicant
Registration No. 37,335

CUSTOMER NO. 022913

RCG:dff
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Applicant: Nye et al.

Serial No.: 10/737,034

Att'y Docket No.: 15499.377.3

Filing Date: December 15, 2003

MODERN BASKETBALL SYSTEM

INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANTU.S. Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>
_____ A1	6,186,911	02/13/2001	Manthey
_____ A2	6,004,231	12/21/1999	Schickert et al.
_____ A3	5,980,401	11/09/1999	Erlewine
_____ A4	5,980,400	11/09/1999	Schickert
_____ A5	5,916,047	06/29/1999	Schickert et al.
_____ A6	5,839,982	11/24/1998	Hying et al.
_____ A7	5,827,136	10/27/1998	Halter et al.
_____ A8	5,722,902	03/03/1998	Dupree
_____ A9	5,597,158	01/28/1997	Spikes
_____ A10	4,826,162	05/02/1989	Allen
_____ A11	4,478,415	10/23/1984	Schaffer et al.
_____ A12	4,372,555	02/08/1983	Sorensen
_____ A13	4,320,896	03/23/1982	Engle et al.
_____ A14	3,964,743	06/22/1976	Salsich, Sr.
_____ A15	3,788,642	01/29/1974	Matras et al.
_____ A16	3,603,588	09/07/1971	Ebstein

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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U.S. Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>
_____ A17	3,233,897	02/08/1966	Sheets
_____ A18	D445,857	07/31/2001	Schickert et al.

Foreign Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Publication Date</u>	<u>Country or Patent Office</u>
NONE			

Other Documents

(including author, title, pertinent pages, etc.)

Examiner
Initial*

NONE

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

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